

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	Criminal No. 1:20-CR-335 (TJM)
)	
v.)	
)	
JACOB DELANEY)	
)	
)	
Defendant.)	

ORDER

A. The Court incorporates into this Order the stipulated facts set forth above and hereby adopts them as findings.

B. The Court has considered its obligation under 18 U.S.C. § 3161(h)(7)(A) to determine whether a continuance serves the ends of justice in a manner that outweighs both the public interest and the defendant's rights. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial because:

1. this delay is necessary for the reasons articulated in General Order No. 58, In Re: Coronavirus Public Emergency; denial would be likely to deny all counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, 18 U.S.C. 3161(h)(7)(B)(iv); trial preparation involves close contact with witnesses, which is inconsistent with advice from the Centers for Disease Control and may be hazardous to the health of either or both of counsel and the witnesses; and the defense seeks additional time to review certain discovery materials in person at the government's office, to review additional discovery to be provided by the government, conduct their own investigation, and decide whether resolve this

matter short of trial and should negotiations fail, research and file motions and prepare for trial taking into account the exercise of due diligence, 18 U.S.C. § 3161(h)(7)(B)(iv).

BASED ON THE STIPULATED FACTS AND THE COURT'S RELATED FINDINGS
IT IS HEREBY ORDERED:

A. A period of 60 days, beginning on and including the date of this Order shall be excludable in computing time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B) because of the reasons articulated in General Order No. 58, In Re: Coronavirus Public Emergency; denial would be likely to deny all counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, 18 U.S.C. § 3161(h)(7)(B)(iv); trial preparation involves close contact with witnesses, which is inconsistent with advice from the Centers for Disease Control and may be hazardous to the health of either or both of counsel and the witnesses; and the defense seeks additional time to review certain discovery materials in person at the government's office, to review additional discovery to be provided by the government, conduct their own investigation, and decide whether resolve this matter short of trial and should negotiations fail, research and file motions and prepare for trial taking into account the exercise of due diligence, 18 U.S.C. § 3161(h)(7)(B)(iv).

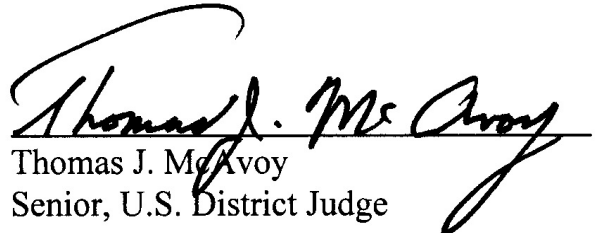
A. The deadline for the completion of discovery by the United States (otherwise due within 14 days of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended by 60 days to The deadline for the completion of reciprocal discovery by the Defendant (otherwise due within 21 days of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended by 60 days to

B. Any pretrial motions in this case shall be filed on or before January 26, 2021 and shall be made returnable on February 26, 2021 .

C. The trial in this matter shall begin on March 8, 2021 at before Senior United States
10:00am
District Judge Thomas J. McAvoy in Albany, New York or, in the alternative, a change of plea
shall be entered on or before February 11, 2021.

IT IS SO ORDERED.

Dated and entered this 19th day of November, 2020.


Thomas J. McAvoy
Senior, U.S. District Judge